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Honorable Marsha J. Pechman

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

DIANNE L. KELLEY,

Plaintiff,

٧.

MICROSOFT CORPORATION, a Washington Corporation,

Defendant.

NO. C07-0475 MJP

MICROSOFT'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF DIANNE KELLEY

ANSWERS, RESPONSES, AND **OBJECTIONS THERETO** 

CLASS ACTION

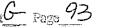
Plaintiff Dianne Kelley hereby serves her answers, responses, and objections to Microsoft's First Set of Requests for Production of Documents, as follows.

### MICROSOFT'S DEFINITIONS

- Α. The term "Complaint" refers to the First Amended Complaint that you filed on May 8, 2007.
- В. The term "person," as used herein, shall be deemed to include, in the plural as well as singular, any natural person, firm, association, partnership, joint venture, corporation or other entity, unless the context otherwise indicates.

MICROSOFT'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF DIANNE KELLEY WITH ANSWERS, RESPONSES, AND **OBJECTIONS THERETO - 1** 

No. C07-0475 MJP





GORDON TILDEN THOMAS & CORDELL LLP 1001 Fourth Avenue, Suite 4000 Seattle, WA 98154 Phone (206) 467-6477 Fax (206) 467-6292

2. The license(s), user manual(s), packaging and other documentation that came with the PC referred to in Paragraph 2.1 of your Complaint.

## RESPONSE: See Response to RFP 1.

3. All documents, including but not limited to advertisements, Web sites, brochures, flyers, reviews, product literature, or magazine articles relating to Microsoft Windows or PCs that you received or saw before purchasing the PC referred to in Paragraph 2.1 of your Complaint.

## RESPONSE: None. See also Answer to Interrogatory No. 9.

4. All documents that you saw or received in connection with your purchase of the PC referred to in Paragraph 2.1 of your Complaint or in connection with your investigation of or shopping for PCs before you purchased the PC referred to in Paragraph 2.1 of your Complaint.

# RESPONSE: See Response to RFP 1. See also Answers to Interrogatory Nos. 9-10.

5. All documents, including without limitation pleadings, motions, briefs, memoranda and orders, filed in any class, derivative, or private attorney general action (whether or not certified as such), in any court or arbitration organization, in which you represented, sought to represent, or assisted others who represented or sought to represent one or more plaintiffs, defendants, or other persons.

#### RESPONSE: None.

6. All documents, including without limitation letters, notes of telephone conversations, electronic mail, and other correspondence, referring or relating to any communication between you and Microsoft concerning any PC, operating system or software.

MICROSOFT'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF DIANNE KELLEY WITH ANSWERS, RESPONSES, AND OBJECTIONS THERETO - 5 No. C07-0475 MJP GORDON TILDEN THOMAS & CORDELL LLP 1001 Fourth Avenue, Suite 4000 Seattle, WA 98154 Phone (206) 467-6477 Fax (206) 467-6292 DATED this 6th day of August, 2007.

GORDON TILDEN THOMAS & CORDELL LLP

By

Jeffrey I. Tilden, WSBA #12219 Jeffrey M. Thomas, WSBA #21175 Michael Rosenberger, WSBA #17730 Mark A. Wilner, WSBA #31550

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Ву

William C. Smart, WSBA #8192 Ian S. Birk, WSBA #31431

Attorneys for Plaintiff

MICROSOFT'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO PLAINTIFF DIANNE KELLEY WITH ANSWERS, RESPONSES, AND OBJECTIONS THERETO - 11 No. C07-0475 MJP

Indiabit & Page 95

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